

MINUTES OF THE REGULAR MEETING OF THE PLANNING BOARD OF  
THE VILLAGE OF IRVINGTON HELD IN THE TRUSTEES' ROOM,  
VILLAGE HALL, ON WEDNESDAY, JULY 1, 1998.

**Members Present:** Patrick J. Gilmartin, Chairman  
Peter Lilienfield  
Allen Morris  
Patrick Natarelli

**Members Absent:** William Hoffman

**Also Present:** Kevin J. Plunkett, Village Counsel  
Brenda Livingston, Ad Hoc Planning Board  
Member  
Eugene Hughey, Building Inspector  
Florence Costello, Planning Board Clerk  
Robert Citarell, E.C.B. Member  
J&L Reporting Service, for Westwood  
Development Associates  
Applicants and other persons mentioned in  
these Minutes  
Members of the Public.

**IPB Matters**

**Considered:** 94-03 -- Westwood Development  
**Associates**

Sht.10, P25J2,25K2;Sht.10C,B1.226,  
Lots 25A,26A,

Sht. 11, Lots P-25, 25J  
96-13 -- Louis W. Goodkind  
Sht. 10F, Bl. 253, Lot 15  
98-06 -- Robert & Katherine Mackie  
Sht. 2, P110C & 110D  
98-12 -- Boran Construction  
Sht. 5, Bl. 212, Lot 4 & 5  
98-23 -- George & Bonnie Speno  
Sht. 13, P-141K  
98-24 -- Robert Clivilles  
Sht. 12B, Lot 52  
98-25 -- Paul & Maren Kazmierczak  
Sht. 13B, P-13C

**Informal Discussion: Bridge Street**

**Properties**

The Chairman called the meeting to order at 8:00  
p.m.

Patrick Natarelli was welcomed to the Planning Board  
to fill the vacancy created by the resignation of Mr.  
Robert Buford.

With reference to a Local Law adopted by the Village Board prohibiting the Board from considering any application concerning property on which taxes are delinquent, Mrs. Costello advised the Board that the Village Clerk-Treasurer had confirmed that all properties on the Agenda were current as to taxes and fees.

**IPB Matter #98-23:**

**Bonnie Speno for Site**

**Application of George &**

**Development Plan Approval for**

**property at**

**101 Hamilton Road.**

George and Bonnie Speno appeared for the Application. Applicant paid the required application fee and submitted evidence of mailing of required Notice to Affected Property Owners. The proposed development consists of a one-story addition of 713 square feet to be added to an existing single level ranch. The addition, 25'x28', will not increase footprint. Drawings prepared by David S. Matero, Architect, "Floor Plan and Interior Elevation" and Building Elevations" dated 1/6/98 were submitted.

The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval and a Type II Action for SEQRA purposes. There were no comments from the public.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

**WHEREAS**, the Planning Board has determined in accordance with Section 243-17 of the Village Code that the proposed addition meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist to make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, (2) that in these circumstances to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental

effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, the Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE,** the Planning Board hereby waives all requirements for Site Development Plan Approval for this Application.

**IPB Matter #98-25:**  
**Kazmierczak for**

**Application of Paul & Maren**  
**Waiver of Site Development Plan**  
**Approval for**  
**property at 8 Cyrus Field Road.**

Paul and Maren Kazmierczak appeared for the Application. Applicant paid the required application fee and provided evidence of mailing of required Notice to Affected Property Owners. The Applicant is proposing a second floor dormer over an existing second floor deck. Plans entitled: Mr. & Mrs. Paul Kazmierczak, Cyrus Field Road by R. Reilly, R.A. dated June 1998 were submitted.

The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval and as a Type II Action for SEQRA purposes. There were no comments from the public.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

**WHEREAS,** the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed alteration meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist to make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, (2) that in these circumstances to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare,

or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, the Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE,** the Planning Board hereby waives all requirements for Site Development Plan Approval for this Application.

**IPB Matter #98-06:**  
**Katherine Mackie for**

**Limited Site**

**property at**

**Application of Robert &  
a three lot subdivision and  
Development Plan Approval for  
41A North Broadway.**

Norman Sheer, Esq., and Timothy Cronin, P.E., appeared for the Application. The Applicant submitted evidence of mailing and publication for tonight's public hearing regarding Final Subdivision Approval for property at 41A North Broadway. The Application seeks approval for subdivision of the Applicant's property into three residential building lots and to thereby allow the construction of two new homes. A drawing "Final Plat Subdivision of Property prepared for Robert A. Mackie, Jr., and Katherine Mackie" dated June 10, 1998 prepared by Cronin Engineering was submitted.

The Chairman opened the public hearing. There were no comments from the public. Questions on D.O.T. permit approval and Health Department concerns were addressed. The Public Hearing was then closed. The Board adopted the Resolution attached herewith granting Final Subdivision Approval.

**Informal Discussion:**  
**for property at**

**Bridge Street Properties  
One Bridge Street.**

Messrs. F. McCullough, William Thompson and Mike Divney appeared to present informally to the Board and interested public the current status and development plans for the waterfront property. Some of the more salient points were: total site is nine acres, property includes the Boat Club, title is to be verified, a complete survey will be given to the Board, pilings and concrete breakwater in poor repair will require a major expense to correct, current property has 280 parking spaces. Owners propose to increase to 560 spaces, 148 of

which will be allocated to residential units. Bridge Street Properties proposes to manage occupancy in that 79 children will enroll in Irvington Schools, Village to get promenade and formal streets, 18 loft apartments and 74 one and two bedroom apartments are proposed, all of which would be rental units.

The Chairman asked for public comment. Mr. Toby, a resident of Mountain Road was concerned about the impact of the proposed development on the sewer system. Mitch Adler, Riverview Road, wanted to know the tax impact on the Village. Mat Pearson felt the proposal would change the character of the village and open river view would be lost. Nancy Adler, Riverview Road, felt it was unrealistic to think children would not be living in one bedroom apartments. Earl Ferguson, Ferris Street, mentioned that the Village's Year 2000 Taskforce had made a report about a vision for the waterfront which should be reviewed. Jerry Leitzes, Mountain Road, wanted to know the estimated rents, Doug McClure, South Ecker St., was concerned about traffic. Brenda Livingston, Harriman's Keep, wanted to know examples of prior work, R. Zorino thought new stores and river views would be great. Harry Kovsky wanted to know what Irvington apartment buildings were surveyed to determine the number of children likely to live in the rental units. The Chairman suggested that Bridge Street Properties put a copy of their proposal on file in the Library for public use.

<b><u>IPB Matter #98-12</u></b>	<b>Application of Boran</b>	
<b>Construction Corp., for</b>		<b>Site</b>
<b>Development Plan Approval for property</b>		
	<b>at 76 Main Street.</b>	

Kenneth Nadler, Architect, appeared for the Applicant and presented a Site Development proposal dated June 18, 1998. Variances are required for parking, density, site capacity (3 units and the builder proposed 4 units) and possibly lot coverage. The application was rejected, but will be kept on the Agenda. Mr. Nadler was referred to the Zoning Board of Appeals.

<b><u>IPB Matter #94-03:</u></b>	<b>Application of Westwood</b>
<b>Development</b>	<b>Associates,</b>
<b>Inc., for Limited Site Development</b>	
	<b>Plan Approval for property at</b>
<b>Broadway,</b>	

**Riverview Road, and Mountain  
Road.**

Richard Blancato, Esq. and Charles Pateman appeared for the Applicant. The Chairman read his letter dated June 15, 1998, into the Minutes which set the agenda for the Westwood meeting. Major items were for Westwood to give an explanation of why there were grounds to apply the "remedial legislation" to have no deduction from site capacity for land in the watershed; to have a site capacity of 13 dwelling units on Tract C when we have no resource protection factors applied site capacity would be only 11 units; and to not apply the full wetlands deductions from site capacity for certain of the wetlands on Tract B.

A full stenographic transcript of the record was taken and is made a part hereof.

**IPB Matter #96-13:**                      **Application of Louis W.**  
**Goodkind for Limited**                      **Site Plan**  
**Approval of property at Harriman**  
**Road and Fieldpoint Drive.**

Gerald D. Reilly, Esq., appeared for the application, carried over from the June Planning Board meeting. There was discussion of the 100 year flood boundary, driveway access improvements, tree trimming to meet sight requirements and removal of shrubbery, and wetlands constraints, all of which were addressed. The Chairman asked for public comment and was no response. The Board then approved plats entitled "Site Plan prepared for Louis W. Goodkind, Alternate Driveway Location Lot 1", dated October 15, 1992 last revised July 1, 1998, and "Site Plan prepared for Louis W. Goodkind, Lot 2" dated October 15, 1992, last revised January 21, 1998. The Board approved the Resolution with Patrick Natarelli abstaining.

**IPB Matter #98-24:**                      **Application of Robert**  
**Clivilles for Amendment**                      **to**  
**Approved Site Development Plan Approval**  
**for property at 18 Manor Pond Lane.**

Craig Studer appeared for the Applicant. Applicant paid the required application fee and submitted evidence of publication and mailing of required Notice to Affected Property Owners. Applicant is requesting amendment of the approved Site Development Plan to permit construction of a 40x20 swimming pool, site regrading and landscaping. Drawing prepared by Studer Design

Associates, "Clivilles Residence, Modified Site Plan for Pool and Site Grading" prepared June 17, 1998, revised as per engineer's request July 1, 1998 was submitted.

After some discussion of the characteristics of chlorine, the Chairman, with the Board's concurrence stated that the application would be treated as a Type II Action for SEQRA purposes. The Chairman opened the public hearing. There were no comments from the public.

After discussion, on motion duly made, seconded and unanimously approved, the Board then approved the Amended Site Development Plan.

The Board then considered the following administrative matters:

- Minutes of the Planning Board held on June 3, 1998, previously distributed, were on motion duly made and seconded, approved.
- The next regular meeting of the Planning Board was scheduled for August 5, 1998.

There being no further business, the meeting was adjourned.

Respectfully submitted,

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Allen Morris, Secretary

